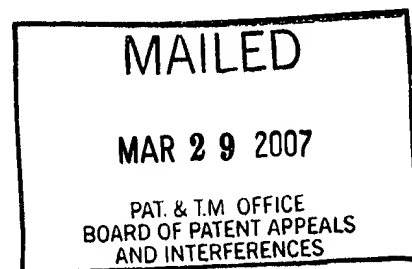


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCE

Ex parte GEOFFREY S. STRONGIN

Application 09/853,465



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on January 8, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed October 3, 2002. It is not clear from the record whether the examiner considered the IDS or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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The Examiner's Answer mailed July 20, 2006, does not fully comply with the requirements of 37 CFR § 41.37. A review of the answer reveals that the following headings need to be included in accordance with MPEP § 1207.02:

- 1) Summary of the claimed subject matter;
- 2) Grounds of rejection to be reviewed on appeal;
- 3) Claims Appendix;
- 4) Related Proceedings Appendix.

A revised Examiner's Answer that is in full compliance with 37 CFR§ 41.37 is required.

Accordingly, it is ORDERED that the application is return to the Examiner:

- 1) to consider the Information Disclosure Statement filed October 3, 2002;
- 2) provide appropriate written notification by the examiner to appellants of such consideration; and

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- 3) issue a revised Examiner's Answer, that is in full compliance with 37 CFR § 41.37, and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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